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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,511	12/12/2003	Wayne H. Rothschild	47079-00237USPT	5842

30223 7590 11/14/2006

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EXAMINER	
SAVIC, BORIS	

ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/735,511	ROTHSCHILD ET AL.	
	Examiner	Art Unit	
	Boris Savic	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/12/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification Objection

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification did not include a casino floor, a casino, and geographic region as it was stated in claims 2 and 24.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in claim 30 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

3. The following is a quotation of the fourth paragraph of 35 U.S.C. 112:

> Subject to the following paragraph a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claims to which it refers.

Claim 6 is objected to under 37 CFR 1.75(c) as being in improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim, or amend the claim to place the claim in proper dependent

form, or rewrite the claim in independent form. The limitation "initiating a display of a bonus indicator comprises initiating a display of a bonus indicator on a secondary display area" does not further limit the statement in its independent claim 1.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 4, 5, 8, 9, 10, 11, 12, 16-19, 21-25, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Timothy C. Loose (US 2003/0130033 A1).

Regarding claims 1, 2, 4, 5, 8 and 10, Loose discloses the drawings and referring initially to Fig. 1, there is depicted a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. (See page 1, paragraph 0010) The bonus feature may be played on the video display 12 or a secondary mechanical or video bonus indicator distinct from the video display 12. If the bonus feature is played on the video display 12, the bonus feature may utilize the display images of the basic game or may replace the basic game images with bonus-specific images. Also, the bonus feature may depict one or more animated events and award bonus amounts based on an outcome of the animated events. (See page 1, paragraph 0011) As best shown in Fig. 2, to allow the plurality of lamps 20 on one

gaming machine 10 to flash in synchronization with the lamps on adjacent gaming machines, the top box display 16 further includes a left sensor 22, a right sensor 24, a left emitter 26, and right emitter 28. The signals emitted from the respective emitters 26 and 28 are preferably pulses of a predetermined duration so that the sensors 22 and 24 are immune to ambient signals such as light. (See page 2, paragraph 0014) Also, Fig. 3 describes an order in which the bonus occurs in a bank of gaming machines. (See page 2, paragraph 0020) Instead of or in addition to using the marquee 18 and the flashing lamps 20 in the top box display 16, the top box display 16 may employ a dot matrix, CRT, LED, LCD, electro-luminescent, or other type of video display known in the art. Also, the display indicia to be synchronized among the bank of gaming machines may include video elements, such a video image of a moving object. The video elements may be presented on a video display used in the top box display 16 or on the main video display 12. (See page 3, 0021)

Regarding claim 9, Loose discloses that the plurality of lamps 20 on each machine 10 are operable in one of four possible lamp sequence modes. (See page 2, paragraph 0015) That means that each mode has a certain step sequence that it follows.

Regarding claim 11, Loose discloses Fig. 3. The order of steps 30, 32, and 34 in the illustrated flow diagram causes the machine in the bank that is the first to enter the bonus mode to control the lamp sequence modes of all of the other machines in the bank. If the predetermined game-related event subsequently occurs on one of these other machines while the bonus mode of the "dominant" machine is still operating, the

second machine does not enter the bonus mode because steps 30 and 32 of the illustrated flow diagram precede and therefore divert flow away from step 34. (See page 2, paragraph 0020)

Regarding claims 12, 18, and 19, Loose discloses a method and gaming machine for generating display in synchronization with an adjacent gaming machine. The display indicia that is shown on the display of the machine may very depending upon whether it is generated in response to the first signal or in response to the game-related event. The second signal may be detected by yet another adjacent gaming machine which, in turn, generates the display indicia on its display. (See page 1, paragraph 0004) If the bonus mode is selected out of the four different modes, it can be played on the video display 12. The bonus feature may utilize the display images of the basic game (e.g., slot reels in a slop game) or may replace the basic game images with bonus-specific images. (See page 1, paragraph 0011)

Regarding claim 16, Loose discloses Fig. 1 that shows how the three gaming machines are located proximate each other and talks about a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. (See page 1, paragraph 0010)

Regarding claim 17, Loose discloses that the plurality of lamps 20 on each machine 10 are operable in one of four possible lamp sequence modes. (See page 2, paragraph 0015) That means that each mode has a certain step sequence that it follows.

Regarding claims 21, 22, 23, 24, and 29, Loose discloses a bank of adjacent gaming machines or two or more or plurality operable to generate synchronized display indicia in accordance with the present invention. In response to a wager, a central processing unit within the machine 10 randomly selects a basic game outcome from a plurality of possible outcomes and visually represents the selected outcome on a display such as a video display 12. (See page 1, paragraph 0010) One or more of the basic game outcomes may trigger a bonus feature. If the bonus feature is played on the video display 12, the bonus feature may utilize the display images of the basic game or may replace the basic game images with bonus-specific images. The bonus feature may depict one or more animated events and award bonus amounts based on an outcome of the animated events. (See page 1, paragraph 0011) Also, in accordance with the program routine, the plurality of lamps 20 on each machine 10 are operable in one of four possible lamp sequence modes. One of the modes is bonus mode. (See page 2, paragraph 0015). Instead of or in addition to using the marquee 18 and the flashing lamps 20 in the top box display 16, the display may employ a dot matrix, CRT, LED, LCD, electro-luminescent, or other type of video display known in the art. (See page 3, paragraph 0021)

Regarding claim 25, Loose discloses Fig. 1 that shows how the three gaming machines are located proximate each other and talks about a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. (See page 1, paragraph 0010)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Timothy C. Loose (US 2003/0130033 A1) in view of Scott Slomiany et al (US 6,648,757, B1) as applied to claim 1 above. Loose teaches a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. The bonus feature that is displayed on the video display 12 may utilize the display images of the basic game or may replace the basic game images with bonus-specific images. (See page 1, paragraphs 0010 and 0011) Loose does not teach types of bonus award. Slomiany teaches a bonus game that includes a plurality of selection elements, a number of which are associated with an award of coin(s) or credit(s) and a number of which are associated with an end-bonus penalty. (See abstract) Therefore, it would have been obvious to one in ordinary skill in the art at the time of the invention to provide a variety of award types with a bonus that way the player can win a variety of awards.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Timothy C. Loose in view of John F. Acres et al (US 5,876,284) as applied to claim 1 above. Loose teaches a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. (See page 1,

paragraph 0010) Loose does not teach a bank of gaming machines communicating with a central gaming machine management system. Acres teaches that each gaming device includes a data communication node which allows the gaming device to communicate with a floor controller over a current loop network. (See abstract) Also, networked gaming devices are known in the art. Interconnecting a plurality of gaming devices such as slot machines via a computer network to a central computer provides many advantages. Some advantages of a network for operating networked gaming devices include the ability to extract accounting data from the individual gaming devices, to track players and to operate bonus promotions and progressive jackpots. (See col. 1, lines 14-23) Therefore, it would have been obvious to one in ordinary skill in the art at the time of the invention to interconnect a bank of gaming machines such as slot machines via a computer network to a central computer because with a central computer a person will be able to control all of the gaming machines and the money flow along with the bonus awards.

Claims 13, 14, 15, and 20 are rejected under 35 U.S.C. as being unpatentable over Timothy C. Loose in view of Craig A. Paulsen et al (US 2003/0186739 A1) as applied to claim 11 above. Loose teaches a bank of adjacent gaming machines 10 operable to generate synchronized display indicia in accordance with the present invention. The bonus feature that is displayed on the video display 12 may utilize the display images of the basic game or may replace the basic game images with bonus-specific images. (See page 1, paragraphs 0010 and 0011) Loose does not teach types of bonus award. Paulsen teaches a cashless technology in which bonus awards are

issued to players. The bonus awards themselves are cash, service, merchandise, etc. The game issues these awards in the form of a cashless instrument representing the award. (See page 1, paragraph 0008) It is known in art that the bonus award depends on the amount of credits. Therefore, it would have been obvious to one in ordinary skill in the art at the time of the invention to provide a variety of award types with a bonus that way the player can win a variety of awards.

Claims 26, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Timothy C. Loose (US 2003/0130033 A1) as applied to claim 21 above. Examiner has taken an official notice that it is known in the slot machine art to include bonus mode in a slot machine game which has audio synchronization with video images. Therefore, it would have been obvious to one in ordinary skill in the art at the time of the invention to have audio synchronization with video display while in the bonus mode. Reason for that is because, once a person enters a bonus mode, he gets a visual and audio message that he has entered a bonus mode or that he has won an award. Another reason for the audio synchronization is to attract and entertain more new guests and customers.

Claim 31 is rejected under 35 U.S.C. as being unpatentable over Timothy C. Loose in view of Scott Slomiany et al as applied to claim 21 above. Loose teaches a bank of adjacent gaming machines 10 operable to generate synchronized display indicia. (See page 1, paragraph 0010) Loose does not teach an award based on one or more player characteristics of players of said gaming machines. Slomiany et al teaches award type in the bonus game that is a quantity-based award in which the

player is credited an amount of coin(s) or credit(s) based on the number of successful trials of the bonus game. (See abstract) Therefore, it would have been obvious to one in ordinary skill on the art at the time of the invention to provide this type of an award with a bank of adjacent gaming machines 10 so that the player gets the credit or money based on his/her record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Savic whose telephone number is (571) 272-2849. The examiner can normally be reached on Monday - Friday, 6:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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TC3700